



**ATTORNEY GENERAL OF TEXAS
GREG ABBOTT**

July 30, 2014

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street, Room 1610
New York, NY 10007-1312

Re: *In re Electronic Books Antitrust Litig.*, No. 11-md-02293 and *State of Texas, et al. v. Penguin Group, et al.*, Case No. 12-cv-03394

Dear Judge Cote:

In accordance with your instructions during our July 24, 2014 telephonic hearing, Plaintiffs have edited the Direct, Detailed, and Publication Notices that we originally filed on July 23, 2014. Counsel for Apple have reviewed these amended notices and have no additional edits or comments. The amended notices are filed with this letter as Exhibits A, B and C. (Also filed with this letter are Exhibits D, E and F that are redlined versions of these notices which show all changes made since the originals were filed).

In addition, the Court requested that Plaintiffs provide a summary of the steps we have taken, or propose to take, to keep eligible consumers' email or home addresses up-to-date during the pendency of the appeal. These actions include the following:

- 1) Revisions to Consumer Notices: All amended notices now include minor variations of the following language:

"If you do change your email address, you should update your [Retailer] profile or visit www.EbookLawsuits.com and click on the link named "Update Your Contact Information".

The Detailed Notice also now includes change of address information on the first page, and a new Question and Answer on "What should I do if my address changes?"

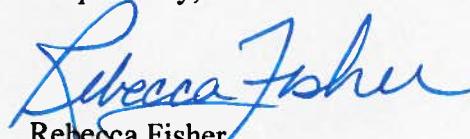
- 2) Revisions to the Settlement Website. The Apple Settlement website (www.EbookLawsuits.com) will include an "Update Your Contact Information" tab. Upon clicking this tab, the consumer will be provided with information regarding how and where to update their contact information. The Settlement website, which is in operation for the Prior Settlements (www.ebookAGSettlements.com) and which will be linked to the Apple Settlement website, will have a similar new tab on its home page. A copy of the Apple Settlement Website "Update Your Contact Information" page design is

attached as Appendix A to this letter. A copy of the Prior Publisher Settlements website design is attached as Appendix B.

- 3) **Rewrites to the Consumer Call Center Script.** For consumers who call the toll-free settlement line, additions will be made to the call center script to instruct customer service representatives on how and where a customer's contact information should be updated.
- 4) **Collection of Updated Address Information from Retailers.** Plaintiffs' claims administrator, Rust Consulting, has maintained close contact with all the E-book retailers throughout the settlements in this litigation. Four of these retailers (Amazon, Barnes & Noble, Kobo, and Google) have agreed to identify and maintain in their own internal system, during the pendency of this litigation, the information for customers who are eligible to receive Apple Settlement funds. Or, if they no longer service their Eligible Customers or are unable to maintain this customer information, they will provide Counsel for Plaintiffs with notice of the changed circumstances and they will work with Rust Consulting and Counsel for Plaintiffs to determine a plan by which their customers will be noticed and receive an award (if any). Apple and Sony have provided Rust Consulting all necessary contact information so Rust can send a similar notice email to all Eligible Customers identified by Apple and Sony. Rust will ensure that the contact information for the Apple and Sony Eligible Customers is maintained during the pendency of this litigation.
- 5) **Maintenance of Forwarding Information from the Postal Service.** For consumers who are to receive postcard notices and/or checks, Rust will also maintain all address forwarding information. Prior to mailing payments, Rust will send the names and addresses through the National Change of Address (NCOA) process to obtain any updated addresses. In addition, any checks returned undeliverable will be sent through an address trace process to search for a more current address. If a more current address is found, the check will be reissued and mailed to the new address.

Plaintiffs are confident that the above-described efforts will ensure that contact is maintained with the maximum number of Eligible Consumers during any delay between the initial notice of the Apple Settlement and the ultimate distribution of checks or credits to consumers. We stand ready to address any additional questions or concerns the Court may have.

Respectfully,



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Appendix A – Apple Settlement Website “Update Your Contact Information” Page Design

*Attorneys General and
Class Apple E-book
Lawsuits*

Last Updated: 06/04/2014

A A A

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Update Your Contact Information

Follow the steps below for the appropriate retailer to update your contact information for any future notices, credits, and/or checks regarding the Apple E-book Settlements. You can also find other helpful retailer information on the Retailer Account Information page on this website.

Mailing Address Updates

If you filed a Claim Form or Check Request or received a check in the prior publishers' settlements and wish to update your mailing address. Click here to send an email to the Settlement Administrator providing:

- Your name
- Old mailing address
- New mailing address
- Retailer (e.g., Amazon, Apple, Barnes & Noble, Google, Kobo, Sony or other)
- Settlement ID Number (if available – found in prior emails and/or check stub)

Email Address Updates

To update your email address, follow the steps below for the appropriate retailer:

AMAZON CUSTOMERS: Go to www.Amazon.com to update your profile

BARNES & NOBLE CUSTOMERS: Go to www.BarnesandNoble.com to update your profile.

KOBO CUSTOMERS: Go to www.kobobooks.com to update your profile

APPLE*, SONY and GOOGLE CUSTOMERS:

Click here to send an email to the Settlement Administrator providing

- Your name
- Old email address
- New email address
- Retailer (e.g., Apple, Sony or Google)
- Settlement ID Number (if available – found in prior emails and/or check stub)

*Apple customers should also update their Apple iTunes profile. Go to www.Apple.com to update your profile.

Appendix B - Prior Publisher Settlements Website Design

“Home” Page

*Attorneys General and
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Last Updated 03/24/2014

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ABOUT THE ADMINISTRATOR

Welcome

This is the official website for State Attorneys General and Class Counsel E-book Settlements. On this website you can find details about the Settlements and your options. A federal court has approved the notices and documents on this site, and the Claims Administrator who runs the site operates under the supervision of the State Attorneys General and Class Counsel.

The Court granted final approval of the Settlements on December 6, 2013. Credit notification emails were sent to eligible consumers receiving a retailer account credit on or around March 25, 2014. Postcard checks were mailed to eligible consumers on March 27, 2014. To review retailer account information, click [HERE](#). More details can be found in the Final Judgment documents available on the Important Case Documents page.

For a summary of the lawsuit and the Settlements, click [HERE](#). For more detailed information and answers to frequently asked questions, click [HERE](#). Other information and important documents are available using the navigation bar on the left of your screen.

To update your contact information for any future settlement notices or credits, click [HERE](#).

Link on the Home

“Update Customer Contact Information” Page

*Attorneys General and
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Last Updated 03/24/2014

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CHECK REQUEST OPTION

FILE A CLAIM

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MANAGE FILES

MANAGE ALL PAGES

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Update Your Contact Information

Follow the steps below for the appropriate retailer to update your contact information for any future notices, credits, and/or checks regarding any of the E-book Settlements. You can also find other helpful retailer information on the Retailer Account Information page on this website.

Customer Mailing Address Updates

If you received a check and wish to update your mailing address: Click here to send an email to the Settlement Administrator providing:

- Your name
- Old mailing address
- New mailing address
- Retailer (e.g., Amazon, Apple, Barnes & Noble, Google, Kobo, Sony or other)
- Settlement ID Number (if available – found in prior emails and/or check stub)

Customer Email Address Updates

To update your email address follow the steps below.

AMAZON CUSTOMERS: Go to www.Amazon.com to update your profile

BARNES & NOBLE CUSTOMERS: Go to www.BarnesandNoble.com to update your profile.

KOBO CUSTOMERS: Go to www.kobobooks.com to update your profile.

APPLE*, SONY and GOOGLE CUSTOMERS:

Click here to send an email to the Settlement Administrator providing:

- Your name
- Old email address
- New email address
- Retailer (e.g., Apple, Sony or Google)
- Settlement ID Number (if available – found in prior emails and/or check stub)

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